

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR**

S.B. Civil Writ No. 7095/2014

Shri Abhishek Manu Singhvi

-----Petitioner

Versus

Commissioner Of Income Tax And Ors

-----Respondent

For Petitioner(s) : Mr. Anjay Kothari
Mr. Ramit Mehta.

For Respondent(s) : Mr. K.K. Bissa.

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

16/01/2019

An application has been filed by the respondents seeking vacation of the interim order dated 10.10.2014 passed by this Court.

By order dated 10.10.2014, the writ petition was admitted and interim order was granted by this Court. Whereafter, the application seeking modification of the order was rejected by the Court on 15.10.2014. It is submitted that the stipulations of the interim order have been followed.

Whereafter, this Court after noticing that the pleadings in the matter are already complete, by order dated 16.04.2018 ordered for listing of the case for hearing alongwith connected matters i.e. SBCWP No.11705/2015. Whereafter, the matter has been listed before the Court on few occasions.

The application has been filed by the respondents apparently inspired by the directions issued by the Hon'ble Supreme Court in

Asian Resurfacing of Road Agency Pvt. Ltd. v. Central Bureau of Investigation : Criminal Appeal No.1375-1376 of 2013, decided on 28.03.2018, wherein directions have been issued in civil and criminal proceedings, which are pending before the trial courts and are held up on account of pendency of the proceedings under Sections 397/482 Cr.P.C. or Article 227 of the Constitution of India.

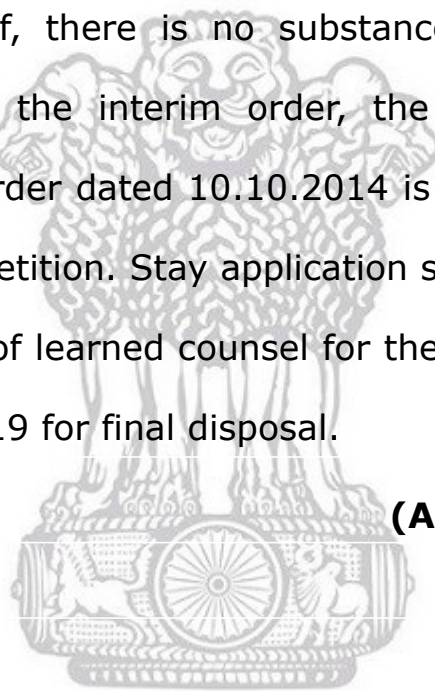
The order passed in the case of Asian Resurfacing of Road Agency Pvt. Ltd. (supra) has apparently no application to the present case, which does not arise out of civil/criminal proceedings pending before the trial court.

In view thereof, there is no substance in the application seeking vacation of the interim order, the same is therefore, dismissed. Interim order dated 10.10.2014 is confirmed to last till disposal of the writ petition. Stay application stands disposed of.

At the request of learned counsel for the parties, list the writ petition on 15.02.2019 for final disposal.

(ARUN BHANSALI),J

59-Rmathur/-



सत्यमेव जयते